



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

*86 Chambers Street  
New York, New York 10007*

October 21, 2022

**BY ECF**

The Honorable Colleen McMahon  
United States District Judge  
500 Pearl Street  
New York, NY 10007

Re: *Knight Institute v. Central Intelligence Agency, et al.*, 22 Civ. 1542 (CM)

Dear Judge McMahon:

This Office represents the defendant agencies in this Freedom of Information Act (FOIA) case. As required by the Court's September 20, 2022 order, ECF No. 38, we write to provide a status report on the agencies or components that have been engaged in search or processing since the last status report.

**DOJ Criminal Division.** As agreed, the Criminal Division completed its search for potentially responsive records by September 9. As discussed in the last letter, CRM is conducting a responsiveness review of the records located in its searches. CRM still anticipates completing its review, barring any unforeseen circumstances, by no later than November 11. Once the responsiveness review is complete, the parties will confer about a schedule for processing the remaining presumptively responsive records.

**DOJ's Office of Information Policy.** As previously reported, OIP completed processing the records it had previously identified for processing in response to the request, and by letter dated September 16, 2022, provided plaintiff an interim response indicating that because other executive branch entities have equities in these records, they were either (1) referred to other entities for direct response to plaintiff or (2) processed initially and then sent for consultation with such equity holders, which must be completed before OIP can make a final response. While OIP has received responses from several of the executive branch entities to which consultations were sent, several more remain outstanding. OIP continues to work with these executive branch entities to complete the consultation process. With respect to the supplemental search referenced in the prior report, OIP has completed a portion of the search, and is reviewing the initial results of those searches as it awaits the final portion of the search to be completed. OIP anticipates that the remaining portion of the pending supplemental search will be complete on or before November 11, 2022, at which point OIP will advise Plaintiff of the approximate volume of the initial results from this search that will require review for responsiveness and deduplication, as well as an estimate of the time required to complete the initial responsiveness review and deduplication process.

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**FBI.** The FBI is in the process of briefing its response to a FOIA request on closely related subject matter in *New York Times v. Department of Justice*, 22 Civ. 1539 (JSR) (S.D.N.Y.). The government's opposition and reply papers are due on October 31. The FBI anticipates that, as a result of supplemental search and processing ongoing in that matter, it will make at least one additional response in this case.

**Proposal.** The parties propose that we provide the Court with a further status report by November 21, 2022.

We thank the Court for its attention to this matter.

Respectfully submitted,

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Southern District of New York

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